

Hon. Richard A. Jones

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff,

v.
JONATHAN BRENT WULF,
Defendant.

NO. CR15-332 RAJ

ORDER GRANTING DEFENDANT'S
UNOPPOSED MOTION TO CONTINUE
TRIAL DATE AND PRETRIAL
MOTIONS DEADLINE

THE COURT, having considered the motion to continue the trial date and pretrial motions due date, and based upon the facts set forth therein, which are hereby incorporated by reference and adopted as findings of fact, finds that:

(a) taking into account the exercise of due diligence, the eventual completion of the forensic examination of Mr. Wulf's computers, the examination and evaluation of additional discovery, a failure to grant a continuance in this case would deny counsel for the defendant the reasonable time necessary for effective preparation due to counsel's need for more time to review the evidence, consider possible defenses, and gather evidence material to the defense, as set forth in 18 U.S.C. § 3161(h)(7)(B)(iv); and

(b) a failure to grant such a continuance in this proceeding would likely result in a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i); and

1 (c) the additional time requested is a reasonable period of delay, as the defendant
2 has requested more time to prepare for trial, to investigate the matter, to gather evidence
3 material to the defense, and to consider possible defenses; and

4 (d) the case is sufficiently complex that it is unreasonable to expect adequate
5 preparation for pretrial proceedings or the trial itself within the current trial schedule, as
6 set forth in 18 U.S.C. § 3161(h)(7)(B)(ii); and

7 (e) the ends of justice will best be served by a continuance, and the ends of
8 justice outweigh the best interests of the public and the defendant in any speedier trial,
9 as set forth in 18 U.S.C. § 3161(h)(7)(A); and

10 (f) the additional time requested between the current trial date of December 14,
11 2015, and the new trial date is necessary to provide counsel for the defendant the
12 reasonable time necessary to prepare for trial, considering counsel's schedule and all of
13 the facts set forth above; and

14 (g) the period of delay from the date of this order to the new trial date of March
15 28, 2016, is excludable time pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B)(iv);
16 and

17 IT IS THEREFORE ORDERED that Defendant's Unopposed Motion to Continue
18 Trial Date and Pretrial Motions Deadline (Dkt. #15) is GRANTED. The trial date in this
19 matter shall be continued to March 28, 2016, and that all pretrial motions, including
20 motions in limine, shall be filed no later than February 25, 2016.

21 DATED this 9th day of November, 2015.

22
23 
24

25 The Honorable Richard A. Jones
26 United States District Judge
27
28